

11 KAR 18:010. Robert C. Byrd Honors Scholarship Program.

RELATES TO: KRS 164.744(2), 164.748(7), (8), 34 C.F.R. 654.1-654.5, 654.30-654.52, 20 U.S.C. 1070d-31-1070d-41

STATUTORY AUTHORITY: KRS 164.748(4), 164.753(3), 34 C.F.R. 654.30, 654.41, 20 U.S.C. 1070d-37, 1070d-38

NECESSITY, FUNCTION, AND CONFORMITY: 20 U.S.C. 1070d-31 et seq., establishes the Robert C. Byrd Honors Scholarship Program and requires the secretary to make grants to states to provide scholarships to outstanding high school graduates who show promise of continued excellence. 20 U.S.C. 1070d-35 and 1070d-37, and 34 C.F.R. 654.30 and 654.41 require the authority, as the state agency designated to receive the grant, to establish criteria and application procedures for the selection of eligible scholars. This administrative regulation establishes application procedures and selection criteria for the administration of the Robert C. Byrd Honors Scholarship Program in Kentucky.

Section 1. Definitions. (1) "ACT score" means the composite score achieved on the American College Test at a national test site on a national test date.

(2) "Authority" is defined in KRS 164.740(1).

(3) "Award year" means the period of time from July 1 of one (1) year through June 30 of the following year.

(4) "Eligible student" is defined in KRS 164.740(6).

(5) "Federal act" is defined in KRS 164.740(8).

(6) "GED coordinator" means an adult education provider.

(7) "High school" means a school located within or outside of the Commonwealth enrolling students for secondary school instruction that is:

(a) Operated by a state; or

(b) A private, parochial, or church secondary school that has been recognized as accredited, or voluntarily complying with accreditation standards, by one (1) of the fifty (50) state departments of education or one (1) of the seven (7) independent regional accrediting associations.

(8) "High school graduate" means an individual who receives:

(a) A high school diploma;

(b) A General Education Development (GED) Certificate; or

(c) Any other evidence recognized by the Commonwealth as the equivalent of a high school diploma.

(9) "Home school" means a noncertified, nonpublic school within the Commonwealth in which a Kentucky resident is in attendance.

(10) "Participating institution" is defined in KRS 164.740(14).

(11) "SAT score" means the sum of the scores achieved on the critical reading and mathematics components of the Scholastic Aptitude Test at a national test site on a single national test date.

(12) "Scholar" means an individual who is selected as a Byrd Scholar.

(13) "Secretary" is defined in KRS 164.740(20).

Section 2. Eligibility Criteria. (1) Initial eligibility. To be eligible for selection as a scholar, an individual shall meet the initial eligibility criteria established in 34 C.F.R. 654.40.

(2) Continued eligibility. To remain eligible for additional awards under this program for subsequent award years, a scholar shall meet the continued eligibility criteria established in 34 C.F.R. 654.51.

Section 3. Initial Application Procedures. (1) In order for an eligible student to be considered for an award under this program:

- (a) The eligible student shall not have applied for consideration in a prior year; and
- (b) The requirements of subsection (2), (3), or (4) of this section shall be met.

(2) High school students.

(a) The eligible student's participating high school shall nominate the eligible student, and shall submit to the authority a completed application through the Authority's secured Web site by February 15 on the Robert C. Byrd Honors Scholarship Program set forth in 11 KAR 4:080, Section 1(5)(a).

(b) The application shall be accompanied by the following supporting documentation, to be provided through the Authority's secure Web site pertaining to the eligible student:

- 1. A certified transcript showing the cumulative grade point average as of the most recent semester completed prior to the high school guidance counselor's certification;
- 2. An official ACT score or SAT score;
- 3. A high school guidance counselor's recommendation, not exceeding 150 words, pertaining to the student's promise of continued academic achievement; and
- 4. A listing of honors, activities, and community service performed during high school.

(3) Home school students.

(a) An eligible home school student shall submit to the authority a completed application by February 15 on the Robert C. Byrd Honors Scholarship Program Application set forth in 11 KAR 4:080, Section 1(5)(a).

(b) The application shall be accompanied by the following supporting documentation, submitted by mail to the Authority, pertaining to the eligible student:

- 1. A transcript document which clearly specifies the name of all courses undertaken by the student, the student's grades achieved, and the student's cumulative grade point average;
- 2. An official ACT or SAT score report;
- 3. A written recommendation, not exceeding one-hundred fifty 150 words, from a nonfamily member of the student, pertaining to the student's promise of continued academic achievement; and
- 4. A listing of all honors, activities, and community service performed during high school.

(4) GED recipients.

(a) A GED coordinator shall nominate the eligible student, and submit to the authority a completed application by June 30 on the Robert C. Byrd Honors Scholarship Program- GED Recipients form set forth in 11 KAR 4:080, Section 1(5)(b).

(b) The application shall be accompanied by the following supporting documentation pertaining to the eligible student:

- 1. An official General Education Development score certification; and
- 2. The GED coordinator's recommendation, not exceeding 150 words, pertaining to the student's promise of continued academic achievement.

Section 4. Nomination Procedures. Each participating high school shall select and submit applications as follows:

(1) Number of nominations per school. Each year, a participating high school or home school shall submit nominations according to the following guidelines:

(a) High schools with enrollments of 1,500 or more may nominate a maximum of five (5) applicants;

(b) High schools with enrollments of 1,000-1,499 may nominate a maximum of four (4) applicants;

(c) High schools with enrollments of 500-999 may nominate a maximum of three (3) applicants;

(d) High schools with enrollments of less than 500 may nominate a maximum of two (2) applicants; and

(e) Home schools may nominate a maximum of one (1) applicant per home school.

(2) A participating high school or home school shall nominate only eligible students who:

(a) Have a minimum:

1. ACT score of twenty-three (23); or

2. SAT score of 1060; and

(b) Have a minimum 3.5 cumulative grade point average as:

1. Certified by the high school guidance counselor; or

2. Evidenced by an official transcript for home school students.

(3) A GED coordinator shall nominate only eligible students who have a minimum GED score of 2700.

Section 5. Selection Procedures. (1) Applications shall be reviewed to ensure compliance with the requirements set forth in Sections 2, 3, and 4 of this administrative regulation.

(2) The authority shall sort acceptable applications according to the six (6) congressional districts in order to ensure proportional distribution.

(3) The authority shall evaluate and score applications on a scientific basis by a stratified random technique, with consideration to demonstrated outstanding academic achievement and promise of continued achievement and reasonable geographic representation throughout the state.

(4) At least one (1) scholar shall be selected among the GED recipients per congressional district. GED recipients shall be chosen with consideration to demonstrated outstanding academic achievement and promise of continued achievement as indicated both by the GED examination scores as well as the GED coordinator's recommendation.

(5) A scholar shall be selected from eligible applicants without regard to:

(a) The applicant's race, color, national origin, sex, religion, disability, economic background, educational expenses, or financial need;

(b) Whether the scholar attended a high school located within or outside of the Commonwealth; or

(c) Whether the participating institution that the scholar plans to attend is public or private or is within or outside the Commonwealth.

(6) A selected scholar shall agree in writing that he shall repay to the authority the total amount of the scholarship funds received for the academic term during which he receives an award if the scholar is ineligible during the academic term as determined by the participating institution or the authority.

Section 6. Notification Procedures. The authority shall notify eligible students, tentatively selected as scholars, in writing of their status not later than ninety (90) days after the application submission deadline.

Section 7. Award Amount. (1) The amount of the annual award shall be governed by 34 C.F.R. 654.50 and 34 C.F.R. 654.51(b).

(2) A scholar shall receive an aggregate maximum of \$6,000 over four (4) years for an undergraduate or an equivalent undergraduate program of study if he or she maintains eligibility.

Section 8. Disbursements. (1) The first payment shall be made at the beginning of the fall term after the participating institution has certified that the scholar is enrolled on a full-time basis and that the total amount of financial aid awarded to a scholar for a year of study, including the scholarship amount awarded pursuant to this administrative regulation, does not exceed the eligible student's total cost of attendance.

(2) The award shall be paid in at least two (2) disbursements in the amount of:

(a) One-half (1/2) in the fall term; and

(b) One-half (1/2) in the spring term.

(3) The funds shall be disbursed by the authority to the educational institution for either subsequent delivery to the scholar or application of the funds to the account of the scholar.

(4)(a) Except as provided in paragraph (b) of this subsection, the award shall be utilized within twelve (12) months of the time of initial award.

(b) The authority's executive director may authorize a postponement of the award utilization.

1. The postponement shall be for up to twelve (12) additional months from the date the scholar:

a. Otherwise would have enrolled in the institution after the scholarship award was made; or

b. Interrupts enrollment.

2. A postponement shall be granted only if:

a. There is sufficient good cause; and

b. The scholar requests in writing, before the payment is certified by the participating institution, that the award be delayed to postpone or interrupt his enrollment.

(c) A scholar who postpones or interrupts his enrollment at a participating institution in accordance with paragraph (b) of this subsection shall not be eligible to receive scholarship funds during the period of postponement or interruption, but shall be eligible to receive scholarship payments upon enrollment or reenrollment at a participating institution.

(d) The authority may extend the twelve (12) month suspension period without terminating the scholar's eligibility if the scholar demonstrates to the satisfaction of the authority that extended postponement or interruption of enrollment beyond the twelve (12) month suspension is due to exceptional circumstances beyond the scholar's control or necessary for the scholar to meet a commitment. (30 Ky.R. 1698; Am. 2011; eff. 3-18-2004; 2312; 31 Ky.R. 18, eff. 8-6-2004; 1696; 1960; eff. 6-13-2005; 33 Ky.R. 187; 716; eff. 10-6-2006; 34 Ky.R. 2325; 35 Ky.R. 10; eff. 8-1-2008; 965; 1432; eff. 1-5-2009; 2317; 36 Ky.R. 14; eff. 7-13-2009; TAm eff. 4-27-2016.)